

MARCH 7, 2011

A Regular Meeting of Mayor and Council was convened at 8:00 p.m. on March 7, 2011 in Council Chambers of Borough Hall with Mayor Dempsey presiding.

Mayor Dempsey stated that this meeting is being held in accordance with the Open Public Meetings Act of 1975 and that notice was given to the Coast Star and the Asbury Park Press on December 21, 2010.

Mayor Dempsey welcomed the audience and invited them to join in a moment of silent prayer and a salute to the Flag.

ROLL CALL: Present: Council Members Donovan, Grasso, Lucas, and McCarthy

Absent: Council Member Connolly and Lee

Also present was Borough Attorney James Kinneally and Borough Administrator/CFO Joseph DeIorio

PROCLAMATIONS

WOMEN'S HISTORY MONTH

WHEREAS American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways;

WHEREAS American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside the home;

WHEREAS American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation;

WHEREAS American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation;

WHEREAS American women of every race, class and ethnic background served as early leaders in the forefront of every major progressive social change movement;

WHEREAS American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, emancipation movement, the industrial movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS despite these conditions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American History;

NOW, THEREFORE, BE IT RESOLVED that, I, George R. Dempsey, Jr., Mayor of the Borough of Manasquan, on behalf of the Borough Council and the good people of Manasquan, do hereby recognize that March 2011 is designated as "Women's History Month."

Mayor Dempsey stated that the women that the Borough has in their offices, up stairs and down, do an excellent job as well as the Council Woman on the Council.

ARC AWARENESS MONTH

WHEREAS intellectual and developmental disabilities are conditions which affect more than 7 million Americans and their families;

WHEREAS public awareness and education enhance a community's understanding of the issues affecting people with intellectual and developmental disabilities;

WHEREAS people with intellectual and developmental disabilities can be vital and vibrant members of our communities, improving the quality of life for all of us;

WHEREAS the month of March has been designated Arc Awareness Month by the state of New Jersey with 20 chapters of The Arc undertaking public awareness, educational and fundraising initiatives;

MARCH 7, 2011

WHEREAS The Arc of Monmouth serves over 2000 individuals with intellectual disabilities throughout Monmouth County and advocates for and with people with intellectual and developmental disabilities and their families;

WHEREAS The Arc of Monmouth is celebrating 62 years of service to families and individuals throughout Monmouth County;

NOW, THEREFORE, BE IT RESOLVED that, I, Honorable George Dempsey, Mayor of Manasquan by the power vested in me do hereby proclaim March, 2011 as

ARC AWARENESS MONTH

In the Borough of Manasquan, New Jersey and urges that the citizens of Manasquan, New Jersey give full support to efforts towards enabling people with intellectual and developmental disabilities to live full and productive lives of inclusion in our communities. Let true and official copies of this Proclamation be spread upon the minutes of the Borough Council meeting, March 7, 2011.

CONSENT AGENDA:

**RESOLUTION
50-2011**

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

WHEREAS, refunds for overpayments on the following tax bills are due on the below described property in the amount designated as follows:

BLOCK: 186.01 LOT: 10 NAME: Frank B. & June S. Diana

PROPERTY LOCATION: 401 First Avenue

AMOUNT OF REFUND: \$1,354.28

REASON FOR REFUND: Duplicate payment made.

REFUND CHECK TO BE MADE PAYABLE TO:

Diana, Frank B. & June S.
401 First Avenue
Manasquan, N.J. 08736-3914

WHEREAS, the Tax Collector has certified that the current property owner is entitled to the refund.

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer is hereby authorized and directed to draw a warrant in the said amount to the above listed property with said warrant to be charged against the General Ledger.

**RESOLUTION
51-2011**

BE IT RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth,

MARCH 7, 2011

State of New Jersey, that the Borough of Manasquan authorize T& M to proceed with the design of Fisherman's Cove Improvements for an additional fee of \$10,000 to correct the plans.

**RESOLUTION
52-2011**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Manasquan Water Treatment Plant

CONTRACTOR: Patock Construction, 43 Gilbert Street North, Tinton Falls, NJ 07701

CHANGE ORDER NO. 1

AMOUNT OF CHANGE THIS RESOLUTION: +\$3,834.00 (+0.106% above original contract)

TOTAL AMOUNT OF CHANGE: +\$3,834.00 (+0.106% above original contract amount)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
53-2011**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Manasquan Water Treatment Plant

CONTRACTOR: Patock Construction, 43 Gilbert Street North, Tinton Falls, NJ 07701

CHANGE ORDER NO. 2

AMOUNT OF CHANGE THIS RESOLUTION: +\$23,475.10 (+0.647% above original contract)

TOTAL AMOUNT OF CHANGE: +\$27,309.10 (+0.753% above original contract amount)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
54-2011**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Manasquan Water Treatment Plant

CONTRACTOR: Patock Construction, 43 Gilbert Street North, Tinton Falls, NJ 07701

CHANGE ORDER NO. 3

AMOUNT OF CHANGE THIS RESOLUTION: +\$8,602.00 (+0.237% above original contract)

TOTAL AMOUNT OF CHANGE: +\$35,911.00 (+0.98% above original contract amount)

MARCH 7, 2011

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
55-2011**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Manasquan Water Treatment Plant

CONTRACTOR: Patock Construction, 43 Gilbert Street North, Tinton Falls, NJ 07701

CHANGE ORDER NO. 4

AMOUNT OF CHANGE THIS RESOLUTION: +\$6,739.70 (+0.186% above original contract)

TOTAL AMOUNT OF CHANGE: +\$42,650.80 (+1.176% above original contract amount)

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
56-2011**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Glimmer Glass Drainage Improvements, Ph. 2 and Misc. Roadway Improvements

CONTRACTOR: Lucas Construction Group, Inc. 173 Amboy Road, Morganville, NJ 07751

CHANGE ORDER NO. 1

AMOUNT OF CHANGE THIS RESOLUTION: \$0.00

TOTAL AMOUNT OF CHANGE: \$0.00

ORIGINAL CONTRACT COMPLETION DATE February 3, 2011

REVISED CONTRACT COMPLETION DATE May 6, 2011

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
57-2011**

Be it resolved by the Mayor and Council of the Borough of Manasquan of Monmouth County, New Jersey upon recommendation of the Borough Engineer that the Change Order for the Contract listed below be and is hereby approved.

TITLE OF JOB: Central Avenue Roadway Improvements

CONTRACTOR: Pioneer General Contracting Co. Inc., 92 Anderson Ave., Monroe, NJ 08831

CHANGE ORDER NO. 1

AMOUNT OF CHANGE THIS RESOLUTION: \$0.00

MARCH 7, 2011

TOTAL AMOUNT OF CHANGE: \$0.00

ORIGINAL CONTRACT COMPLETION DATE April 7, 2011

REVISED CONTRACT COMPLETION DATE May 6, 2011

This Resolution to take effect upon certification by the Borough Treasurer that sufficient funds are available.

**RESOLUTION
59-2011**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to sign the following 2011 Agreements :

Ellicott Network Consultants, LLC – Hardware and System Software Support

Mitchell Humphrey & Co.–Software Products License & Maintenance Support

Edmunds and Associates – Software Support Agreement

**RESOLUTION
58-2011**

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

WHEREAS, the Chief Financial Officer has determined the following applications have been closed and any unused funds returned back to the applicants:

<u>Developer's Escrow</u>	56 Union Ave. Assoc, 56 Union Ave. Blk 51, Lot 57.01	\$273.00
	Mary Ann Melchionna 9 Rogers Ave. Blk 150, Lot 18	\$50.00
	Mr. & Mrs. Tom Mc Menaman 35-35 ½ Virginia Ave. Blk 68, Lot 105,107	\$772.68
<u>Affordable Housing</u>	John & LuAnn Russell 51 Central Ave. Blk 26.01, Lot 7	\$250.00
	Charles & Mary Ware 85 McLean Ave. Blk 110, Lot 11	\$275.00
<u>Dumpster Security</u>	GWS Contractors, Jamesburg, NJ 08831 32 Marcellus Avenue	\$500.00
<u>Use of Borough Property</u>	Ladicin Network, 1701 Kneeley Blvd. Wanamassa, NJ 07712	\$400.00
<u>Modular Home Storage Security</u>	Atlantic Modular Storage 52 Taylor Ave. Manasquan, NJ 08736	\$500.00

MARCH 7, 2011

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Manasquan, State of New Jersey that the Borough authorizes the Chief Financial Officer to return any unused funds from to the applicant as indicated above.

**RESOLUTION
60-2011**

BE IT RESOLVED, by the Mayor and Council of the Borough of Manasquan that Barbara Ilaria, Municipal Clerk of the Borough of Manasquan, be and is hereby authorized to sign the Tom Rostron Heating and Air Conditioning 2011 Agreement.

**RESOLUTION
61-2011**

BE IT RESOLVED, that the Hon. George R. Dempsey, Jr., Mayor of the Borough of Manasquan, and Borough Clerk Barbara Ilaria be and are hereby authorized to sign the contract for the Central Avenue Roadway Improvement Project.

**RESOLUTION
62-2011**

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MANASQUAN, IN THE County of Monmouth, New Jersey (not less than three (3) members thereof affirmatively concurring) as follows:

1. All bills or claims as reviewed and approved by the Administration & Finance Committee and as set forth in this Resolution are hereby approved for payment.
2. The Mayor, Municipal Clerk and Chief Financial Officer are hereby authorized and directed to sign checks in payment of bills and claims which are hereby approved.

The computer print-out of the list of checks will be on file in the Clerk's Office.

CURRENT FUND	183,183.72
WATER/SEWER FUND:	17,639.57
BEACH FUND. :	10,714.69
GENERAL CAPITAL FUND:	95,636.26
WATER/SEWER CAPITAL FUND:	140,078.26
BEACH IMPROVEMENT FUND:	

**RESOLUTION
63-2011**

MARCH 7, 2011

WHEREAS, it shall become necessary to expend for some of the purposes specified in the budget, an excess of the respective sums appropriated, and

WHEREAS, there is an excess in one or more appropriation reserve over and above the amount deemed necessary to fulfill the purposes of such appropriations, and

WHEREAS, N.J.S.A. 40A:4-59 provides for the transfer of such amounts deemed in excess, to appropriations the amount of which are deemed to be insufficient to fulfill the purpose of such appropriations, and

WHEREAS, the transfers about to be authorized do not affect any appropriation reserves to which or from which transfers are prohibited under the statutes, and

NOW, THEREFORE BE IT RESOLVED that the following transfers between appropriation reserves to be authorized pursuant to N.J.S.A. 40A:4-59:

BE IT FURTHER RESOLVED by the Borough Council of the Borough of Manasquan, County of Monmouth, State of New Jersey, that the following transfer be authorized:

CURRENT FUND

TO:

Audit Services	<u>1,000.00</u>
Total	\$ 1,000.00

FROM:

Landfill Costs	<u>\$ 1,000.00</u>
Total	\$ 1,000.00

BE IT FURTHER RESOLVED, that a copy of this resolution be filed forthwith with the Chief Financial Officer.

**RESOLUTION
64-2011**

WHEREAS, the Eastmond Pavilion (Beach Station building) was constructed in 1953 and has demonstrated signs of disrepair to the point where annual renovations appropriations would outweigh the cost of constructing a new facility to meet the demands of an increased attendance at Manasquan Beach since the initial construction in the 1950s, and

WHEREAS, the Borough of Manasquan is desirous to plan for the replacement of the Beach Station located at Main Street and;

WHEREAS, the cost for planning and reconstruction would be paid through the beach utility budget and therefore sales of beach operations; and

WHEREAS, the cost of planning and construction would not be paid from the municipal current budget and therefore not be paid for by taxpayer dollars; and

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Manasquan would like to obtain the services of Chris Rice Architecture, 544 Washington Blvd, Sea Girt, NJ 08750 in the amount not to exceed \$24,200 as per the proposal dated March 1, 2011 and attachments, and

BE IT FURTHER RESOLVED that this resolution is subject to the submission and agreement of a fully executed contract between Chris Rice Architecture and the Borough of Manasquan and required documentation by the State of New Jersey and Borough of Manasquan, and

BE IT FURTHER RESOLVED that the Mayor and Council authorize the Administrator/Chief Finance Officer to sign and execute the contract noted in this resolution subject to the conditions above.

MARCH 7, 2011

**RESOLUTION
65-2011**

BE IT RESOLVED by the Council of the Borough of Manasquan, County of Monmouth, State of New Jersey that:

WHEREAS, the Code Enforcement Officer, Patrick Callahan has taken and paid for the Building Inspector RCS classes and books, and

WHEREAS, on December 20, 2010 the Council of the Borough of Manasquan voted in favor of reimbursing the amount of \$1,241.00 for said classes, and

WHEREAS, the Council of the Borough of Manasquan voted that Mr. Callahan will fulfill his obligation to the Borough of Manasquan by completing said classes and follow through with the completion of the Certification, and

NOW THEREFORE BE IT RESOLVED, that if Mr. Callahan does not follow through with the completion of said certification he will reimburse the Borough of Manasquan all monies paid to him for the classes and training.

Council Member Donovan made a motion to accept the Consent Agenda, seconded by Council Member Grasso. Motion carried by the following vote: "yes" Council Member Donovan, Grasso, Lucas, and McCarthy, "no" none.

APPROVAL OF MINUTES

Regular Meeting Minutes – 12/6/2010 and 12/20/2010
Work Session Minutes – 12/6/2010 and 12/20/2010

Council Member Donovan made a motion to approve the minutes, seconded by Council Member Lucas. Motion carried by the following vote; "Yes" Council Member Donovan, Grasso, Lucas. Council Member McCarthy abstained from voting; "No" none.

COMMITTEE REPORTS

Law & Code Committee – Council Member Grasso had nothing further at this time.

Public Safety & Recycling Committee – Council Member Lucas had nothing further at this time.

Public Property and Parks Committee – Council Member McCarthy had nothing further at this time.

Public Works Committee – Council Member Donovan thanked the Manasquan High School band for participating in the Belmar St. Patrick's Day parade despite the rain. He advised that some of the band goes before the reviewing stand in the beginning of the parade and play the Irish National Anthem and the American National Anthem. He stated that they did a great job this year.

Mr. DeIorio stated that Council Member Donovan attended a ceremony sponsored by the Monmouth County Historical Commission in which Manasquan was the recipient of a grant for the second floor windows of the Life Saving Station.

AUDIENCE PARTICIPATION

Council Member Grasso made a motion to open the meeting up to the public, seconded by Council Member McCarthy. Motion carried unanimously.

There was no audience participation.

Council Member Donovan made a motion to close the public session, seconded by Council Member Grasso. Motion carried unanimously.

MARCH 7, 2011

Council Member Donovan made a motion to close the regular meeting at 8:10 p.m., seconded by Council Member Grasso. Motion carried unanimously.

Respectfully submitted,

B. Ilaria

Barbara J. Ilaria
Municipal Clerk

DATE APPROVED 8-1-11